

692 will be convened by the Daryáft-Kacheri. The Daryáft-  
671 Kacheri assisted by a Pancháyat shall make inquiry into  
177 causes beyond Ra. 3,000 and submit the proceedings to the  
Huzur and carry its orders into effect.

693 65. The Daryáft-Kacheri shall be assisted by two Mut-  
671 sudies of the Deván-Kacheri in writing the proceedings of  
177 the inquiries they make. The Mutsudies are to keep registers  
of all suits decided by the Daryáft-Kacheri and preserve in  
regular order the records connected with that Kacheri, distinct  
from that of the Deváns. The Daryáft-Kacheri shall submit  
for the perusal of the Huzur these registers monthly.

66. The plaintiff and defendant in a cause shall be al-  
lowed to employ their relations or agents to plead before the  
Párapatingáras, the Subadárs and the Daryáft-Kacheri, as also  
before the Pancháyats assembled by them, furnishing them  
with power for that purpose.

• 694 67. The complaints shall clearly state the name and residence  
671 of the complainant as well as of the person complained  
177 against, the grounds on which the complaint is founded, the  
amount of value of the property claimed and all such circum-  
stances as may serve for the elucidation of the case.

68. The Párapatingáras or Subadárs may send peons either  
with a verbal message or written summons (yádást) to the  
defendant, directing him to appear in order to answer the  
complaints preferred against him.

69. The complainant shall be directed to accompany the  
peons entrusted with the summons, or otherwise to send re-  
lations or agents for the purpose, indicating the residence of  
the defendant and identifying his person.

695 70. After the defendant makes his appearance the com-  
671 plaint shall be read over to him and he shall be directed to  
177 give an answer to it on a day which shall be fixed, he being  
furnished with a copy of the complaint.

71. On the delivery of the answer by the defendant who ought to state therein what he may have to say, a copy of it shall be sent to the plaintiff. The latter shall be required to give his reply within a prescribed time and after he delivers it, a copy of it shall be furnished to the defendant and he shall give a rejoinder. Afterwards the plaintiff and the defendant shall be directed to give in a list of the witnesses whom they wish to produce. The depositions of the witnesses shall be taken with all possible expedition and they shall be ordered to return to their homes or respective employments. The Párapatiagár or Subadár shall then decide the cause according to justice and the custom of the country. 695  
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72. In cases where the defendant may neglect to attend at the Kacheri on the day appointed, notwithstanding he is summoned, an enquiry shall be made whether the summons has been actually served or not. If it be proved that the summons has been served on the defendant and that he has wilfully neglected to give his attendance at the Kacheri, a notice shall be affixed at the door of his house intimating, that although he signed the summons, which had been served on him, yet he had neglected to give his appearance to answer the complaint which was preferred against him, that a time, however, of 10 days would still be allowed to him to appear before the district functionary or the Pancháyat to answer the complaint, and that, if he failed to do so, the functionary or the Pancháyat would proceed to decide the case ex parte. If he do not make his appearance to answer the complaint within the time fixed in the notice, the Pancháyat or the functionary shall examine the vouchers and decide the case ex parte. 694 •  
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73. Where Pancháyats are assembled for investigating any dispute, the parties shall be caused to give written agreements binding themselves to abide by the decision of the Pancháyat. After the award is passed, the parties shall be 695  
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695 caused to interchange Farigh khati and a Rázináma shall be  
671 taken from them.

177 74. Whenever a case is investigated by a Pancháyat, and an award is passed, if one of the parties refused to abide by it, he shall be asked to explain the reason and if he has reason to suppose, that undue means have been used to bias the Pancháyat or that the decision was partial, he shall be required to produce evidence to that effect and give a written obligation, binding himself to pay such penalty as the Sirkar may be pleased to direct, in the event of his assertions proving false. If this circumstance happens at the Kacheri of a Párapatiagár, he shall forward the proceedings together with the witnesses to prove the corruption of the Pancháyat to the Subadár, and if it should happen at the Kacheri of the latter, the Subadár shall send them to the Daryáft-Kacheri.

75. But in cases where the party, refusing to abide by the decision of the Pancháyat fails to bring forward witnesses to prove his allegation, the award shall be carried into effect.

628 76. In cases where a suit is preferred against an individual who is not subject to the jurisdiction of either the  
671 Párapatiagár or the Subadár of the nád or taluq, where the  
177 complainant is residing, the Párapatiagár or Subadár shall  
694 request by a letter the officer in authority at the place, where the defendant may be residing, to send him in order to answer the complaint, preferred against him. The same rule is applicable to cases where witnesses may be residing within another jurisdiction.

648 77. In cases where either the defendant or witnesses  
671 may be residing in another country, the district-servants are  
177 to report the circumstance to the Huzur, which will take  
694 measures by writing to the European Officer in authority at that place, either to cause the personal attendance of such defendant or witnesses or to obtain their defence or evidence respectively in writing as may seem to him advisable.

692 of orders, or with assaulting another person, or using abusive  
671 language or with stealing property of the value of 10 rupees.

177 83. The Párapatiagár may release persons accused of the  
881 above offences on their finding bail.

84. All persons deserving higher punishment than what has been mentioned above, shall be sent to the Subadár by whom they shall be tried. The Subadár shall confine for 30 days, or fine in a sum not exceeding 16 rupees, according to the circumstances of the case, any person accused of having stolen property of the value of from 10 to 30 rupees, or charged with disobedience of orders or with assaulting another person or using abusive language.

• [694] 85. The Subadár may release persons accused of these offences on their finding bail.

692 86. Offenders accused of thefts not attended with violence  
671 and of which the amount or value may be above thirty and  
177 not exceeding one hundred rupees, or of the other offences  
[685] specified in para 84, but deserving a higher punishment than what is therein mentioned, shall be sent for trial to the Daryáft-Kacheri. In these cases the Daryáft-Kacheri is empowered to sentence an offender to imprisonment not exceeding two months, or to levy a fine not exceeding twenty rupees. This Kacheri may release persons on bail.

[694] 87. The Párapatiagárs and Subadárs are directed to send  
[681] with the least practicable delay to the Daryáft-Kacheri all persons accused of thefts attended with violence or exceeding in amount or value thirty rupees, burglaries, highway or gang robberies, arson and murder, etc. after they are apprehended, together with their depositions.

[623] 88. The Daryáft-Kacheri assisted by the Pancháyat shall make enquiries into the aforementioned cases, and in the event of their finding the fact against the accused, they shall submit their proceedings to the Commissioner (respective Superintendent since October 1834) who shall pass judgment thereon.